

**U.S. BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**Honorable Kenneth J Meyers  
Wednesday, January 9, 2013**

*Current as of 12/28/2012 at 1:37 PM*

---

**Bankruptcy Court Benton**

**U.S. Bankruptcy Court  
301 W Main St  
Benton, IL 62812**

---

9:00 AM **10-40374-lkg** Anita Kay Womble  
Ch 7  
Trustee: Hagan

**Matter: Final Report & Account filed by Trustee Cynthia Hagan**  
**Cynthia Hagan (Trustee Cynthia Hagan)**

---

1

9:00 AM **29-00002** RESERVED DOCKET ENTRY

**Matter: RESERVED DOCKET ENTRY**

---

2

9:00 AM **29-00002** RESERVED DOCKET ENTRY

**Matter: RESERVED DOCKET ENTRY**

---

3

9:00 AM **29-00002** RESERVED DOCKET ENTRY

**Matter: RESERVED DOCKET ENTRY**

---

4

9:00 AM **10-41915-lkg** Marilyn Shipp Gary  
Ch 13  
Trustee: Kearney

**PREL HRG**

**Matter: Motion for Relief from Stay Filed by Peoples National Bank with Objection filed by Marilyn Gary**

**Kristine Tuttle (Peoples National Bank)  
Edward Eytalis (Marilyn Gary)**

---

5

9:00 AM **12-40779-lkg** Randy R. Wientjes and  
Ch 11 Joan E. Wientjes

## PREL HRG

**Matter: Motion for Relief from Stay Filed by Illinois Department of Agriculture with Objection filed by Randy & Joan Wientjes**

**Patrick Fitzgerald (Illinois Department of Agriculture)**  
**Robert Eggmann (Randy & Joan Wientjes)**

---

6

9:00 AM **12-41225-lkg** Clinton R. Alton and  
Ch 13 Diana L. Alton  
Trustee: Kearney

**Matter: Objection to Confirmation of Plan Filed by Trustee Bob G Kearney**

**Ronald Buch (Trustee Bob Kearney)**  
**Bradley Olson (Clinton & Diana Alton)**

---

7

9:00 AM **12-41285-lkg** Larry R. Orr, Jr. and  
Ch 13 Misti D. Orr  
Trustee: Kearney

**Matter: Objection to Confirmation of Plan Filed by Trustee Bob G Kearney**

**Ronald Buch (Trustee Bob Kearney)**  
**Bradley Olson (Larry & Misti Orr)**

---

8

9:00 AM **12-41262-lkg** Micheal W. Goodin and  
Ch 13 Toni L. Goodin  
Trustee: Kearney

**Matter: Objection to Confirmation of Plan Filed by Trustee Bob G Kearney**

**Ronald Buch (Trustee Bob Kearney)**  
**Bradley Olson (Micheal & Toni Goodin)**

---

9

9:00 AM **11-40586-lkg** Sandra W. Phillips  
Ch 13  
Trustee: Kearney

**Matter: Objection to Motion to Retain Tax Refunds Filed by Trustee Bob G Kearney**

**Ronald Buch (Trustee Bob Kearney)**  
**Bradley Olson (Sandra Phillips)**

---

10

9:00 AM	<b>10-40210-lkg</b>	Gregory J. Peters	
	Ch 13		
	Trustee: Kearney		
<b>Matter:</b>	<b>Objection to Motion to Retain Tax Refunds Filed by Trustee Bob G Kearney</b>		11
	<b>Ronald Buch (Trustee Bob Kearney)</b>		
	<b>Bradley Olson (Gregory Peters)</b>		
<hr/>			
9:00 AM	<b>10-41254-lkg</b>	Melissa M. Larson	
	Ch 13		
	Trustee: Kearney		
<b>Matter:</b>	<b>Objection to Amended Motion to Retain Tax Refunds Filed by Trustee Bob G Kearney</b>		12
	<b>Ronald Buch (Trustee Bob Kearney)</b>		
	<b>Bradley Olson (Melissa Larson)</b>		
<hr/>			
9:00 AM	<b>10-41056-lkg</b>	Samuel W. Barnwell	
	Ch 13		
	Trustee: Kearney		
<b>Matter:</b>	<b>Objection to Motion to Retain Tax Refunds Filed by Trustee Bob G Kearney</b>		13
	<b>Ronald Buch (Trustee Bob Kearney)</b>		
	<b>Bradley Olson (Samuel Barnwell)</b>		
<hr/>			
9:00 AM	<b>11-40626-lkg</b>	Leah Hamilton	
	Ch 13		
	Trustee: Kearney		
<b>Matter:</b>	<b>Objection to Motion to Retain Tax Refunds Filed by Trustee Bob G Kearney</b>		14
	<b>Ronald Buch (Trustee Bob Kearney)</b>		
	<b>Edward Eytalis (Leah Hamilton)</b>		
<hr/>			
9:00 AM	<b>10-41912-lkg</b>	David L. McGee and Becky M. McGee	
	Ch 13		
	Trustee: Kearney		
<b>Matter:</b>	<b>1) Motion to Retain Tax Refunds Filed by David &amp; Becky McGee</b>		15
	<b>2) Motion to Retain Tax Refunds Filed by David &amp; Becky McGee</b>		
	<b>Dan Cavaness (David &amp; Becky McGee)</b>		
<hr/>			
<del>9:00 AM</del>	<del><b>12-40814-lkg</b></del>	<del>Darren S. McCord and Jude Ann Burroughs McCord</del>	
	<del>Ch 13</del>		
	<del>Trustee: Kearney</del>		
<b>Matter:</b>	<del><b>Motion to Reinstate Case Filed by Darren &amp; Jude Ann McCord</b></del>		16
	<del><b>Jason Spindler (Darren &amp; Jude Ann McCord)</b></del>		

---

9:00 AM **10-41143-lkg** Clyde W Scott and  
Ch 13 Teresa D Scott  
Trustee: Kearney

**Matter: Motion to Show Cause Filed by Trustee Bob G Kearney**

**Ronald Buch (Trustee Bob Kearney)**  
**Michael Reed (Clyde & Teresa Scott)**

---

~~9:00 AM **09-41986-lkg** Donald W Hammann  
Ch 13  
Trustee: Kearney~~

~~**Matter: Motion to Show Cause Filed by Trustee Bob G Kearney**~~

~~**Ronald Buch (Trustee Bob Kearney)**  
**Michael Curry (Donald Hammann)**~~

---

9:00 AM **09-41781-lkg** David C Spurlock  
Ch 13  
Trustee: Kearney

**Matter: Notice of Default filed by Fifth Third Bank with Objection Filed by David Spurlock**

**Joel Fonferko (Fifth Third Bank)**  
**Eric Dirnbeck (Fifth Third Bank)**  
**Bradley Olson (David Spurlock)**

---

9:00 AM **12-60501-lkg** Alvin Carl Scott Saunders  
Ch 7  
Trustee: Bruegge

**Matter: Application to Proceed in Forma Pauperis Filed by Alvin Saunders with Objection Filed by Trustee Robert Bruegge**

**Pro Se (Alvin Saunders)**  
**Robert Bruegge (Trustee Robert Bruegge)**

---

9:00 AM **09-40345-lkg** Javier C Purdiman  
Ch 7  
Trustee: Hagan

**Show Cause Hearing**

**Matter: Show Cause Hearing**

**Patrick McCann (Javier Purdiman)**

---

9:00 AM	<b>11-41306-kjm</b> Ch 7 Trustee: Hagan	Shawn C. Nettleton and Sara E. Nettleton	
	<b>Matter: Notice of Higher Bid to Notice of Intent to Sell Filed by Trustee Cynthia A Hagan</b>		22
	<b>Cynthia Hagan (Trustee Cynthia Hagan)</b> <b>Terry Sharp (Shawn &amp; Sara Nettleton)</b>		
<hr/>			
9:00 AM	<b>12-41142-lkg</b> Ch 7 Trustee: Hagan	Robert L. Remick	
	<b>Matter: Objection to Debtor's Claim of Exemptions Filed by Trustee Cynthia A Hagan</b>		23
	<b>Cynthia Hagan (Trustee Cynthia Hagan)</b> <b>Stephen Clark (Robert Remick)</b>		
<hr/>			
9:00 AM	<b>12-40971-lkg</b> Ch 7 Trustee: Frazier	Saqib B Khan	
	<b>Matter: Objection to Debtor's Claim of Exemptions Filed by Trustee Dana S Frazier</b>		24
	<b>Dana Frazier (Trustee Dana Frazier)</b> <b>Terry Sharp (Saqib Khan)</b>		
<hr/>			
9:00 AM	<b>12-41114-lkg</b> Ch 7 Trustee: Frazier	Angel M Menser	
	<b>Matter: Objection to Debtor's Claim of Exemptions Filed by Trustee Dana S Frazier</b>		25
	<b>Dana Frazier (Trustee Dana Frazier)</b> <b>John Sanders (Angel Menser)</b>		
<hr/>			
9:00 AM	<b>12-41272-lkg</b> Ch 7 Trustee: Frazier	Rosie L Ervin	
	<b>Matter: Objection to Debtor's Claim of Exemptions Filed by Trustee Dana S Frazier</b>		26
	<b>Dana Frazier (Trustee Dana Frazier)</b> <b>Marcus Herbert (Rosie Ervin)</b>		
<hr/>			

9:00 AM	<b>12-41089-lkg</b> Ch 7 Trustee: Frazier	Harlen E Ingersoll	
<b>Matter:</b>	<b>Motion to Issue Title Filed by Trustee Dana S Frazier</b>		27
	<b>Dana Frazier (Trustee Dana Frazier)</b> <b>Jay Howd (Harlen Ingersoll)</b>		
<hr/>			
9:00 AM	<b>12-40449-lkg</b> Ch 7 Trustee: Frazier	Levar C. Williams and Latoya L. Anthony	
<b>Matter:</b>	<b>Motion to Compel Filed by Trustee Dana S Frazier</b>		28
	<b>Dana Frazier (Trustee Dana Frazier)</b> <b>Bradley Olson (Levar Williams &amp; Latoya Anthony)</b>		
<hr/>			
9:00 AM	<b>11-41637-lkg</b> Ch 7 Trustee: Frazier	Gerald Wane Downs, Jr	
<b>Matter:</b>	<b>1) Motion to Show Cause Filed by Trustee Dana S Frazier</b> <b>2) Motion for Turnover Filed by Trustee Dana S Frazier</b>		29
	<b>Dana Frazier (Trustee Dana Frazier)</b> <b>Matthew Benson (Gerald Downs)</b>		
<hr/>			
9:00 AM	<b>12-06049-lkg</b> †Ch 13 11-60122-lkg	Oellermann, Jr et al v. America's Servicing Company  Roy August Oellermann and Erin Lynn Oellermann	
<b>Matter:</b>	<b>Motion for Default Judgment Filed by Roy &amp; Erin Oellermann</b>		30
	<b>William Mueller (Roy &amp; Erin Ollermann)</b> <b>Pro Se (America's Servicing Company)</b>		
<hr/>			
9:00 AM	<b>12-04068-lkg</b> †Ch 7 12-40762-lkg	First Southern Bank v. Spees et al  Emil R Spees and Edith C Spees	
<b>Matter:</b>	<b>Motion for More Definite Statement and Answer to Complaint Filed by Emil &amp; Edith Spees.</b>		31
	<b>Bradley Olson (Emil &amp; Edith Spees)</b> <b>Patrick Hewson (First Southern Bank)</b>		
<hr/>			

9:00 AM **09-42025-lkg** Thurman Phemister  
Ch 11

32

**Matter: Post Confirmation Amended Small Business Chapter 11 Plan and Amended Disclosure Statement Filed by Thurman Phemister**

**Douglas Antonik (Thurman Phemister)**

---

9:00 AM **12-41178-lkg** Madadeva Corporation  
Ch 11

## Trial

33

**Matter: 1) FINAL HRG: Motion to Use Cash Collateral  
2) Objection to Motion to Assume Executory Contract  
3) TRIAL: Motion for Relief from Stay Filed by Days Inns Worldwide, Inc  
4) TRIAL: Motion for Relief from Stay Filed by American Enterprise Bank**

**Bradley Olson (Madadeva Corp)  
Richard Green (Days Inns Worldwide, Inc)  
Jeffrey Richardson (American Enterprise Bank)**

---

9:00 AM **12-06030-lkg** Lucy v. BAC Home Loan Servicing LP et al  
†Ch 13  
10-60088-lkg Kenneth Ray Lucy

## Trial

34

**Matter: TRIAL: Complaint for Declaratory Judgment Filed by Kenneth Ray Lucy**

**William Mueller (Kenneth Lucy)  
Michael Dimand (BAC Home Loan Servicing LP & Bank of America)  
Bradley Olson (BAC Home Loan Servicing LP & Bank of America)**

---